

Decision of the Drought Coordinator On Application for Variance / Exemption From Nonessential Water Use Restrictions

Applicant's Name: _____

Applicant's Address: _____

Date of Application: _____

Type of User: _____ Residential _____ Industrial Commercial

_____ Food Service _____ Government Agency

_____ Golf Course _____ Other (specify)

_____ Having fully considered the above application for variance, I find that the Applicant has proven by clear and convincing evidence that prohibition of nonessential water use will result in extraordinary hardship to the Applicant.

_____ Having fully considered the above application for variance, I find that the Applicant has not proven by clear and convincing evidence that prohibition of nonessential water use will result in extraordinary hardship to the Applicant.

The reasons for this decision are as follows:

_____ Based on the foregoing, a VARIANCE IS GRANTED, subject to the following conditions:

1. This variance is granted only to the extent necessary to relieve the extraordinary hardship to the applicant.
2. This variance is not transferable to another property, purpose, person or water user without prior approval from the Department of the Environment, or the Drought Coordinator as directed by the Department.
3. This variance may be modified or rescinded by the Secretary of the Environment, or the Drought Coordinator as directed by the Secretary, if public health, safety, and welfare require further reduction in water use.
4. This variance is conditioned upon compliance with reasonable conservation measures, including

_____ Based on the foregoing, a VARIANCE IS NOT GRANTED.

Appeal Rights: An Applicant aggrieved by this decision has a right to request a hearing before the Office of Administrative Hearings. A request for hearing must be made within five (5) days of the date of this Decision, and must be submitted, in writing, to the undersigned Drought Coordinator at the address shown below. A hearing requested on the denial of a variance application is not a contested case subject to the requirements of the Administrative Procedure Act, MD Code Ann., §§ 10-2-1 through 10-2-26 (1995 & Supp. 1998).

_____ Date

_____ Signature of Drought Coordinator

_____ Printed Name of Drought Coordinator

_____ Address of Drought Coordinator